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**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

**OFFICIAL**

**Applicant(s): Zack et al.**

**Case: DIVA/198 Confirmation #: 8722**

**Serial No.: 09/458,322 Filed: December 10, 1999**

**Group Art Unit: 2611**

**Examiner: HUYNH, SON P.**

**Title: METHOD AND APPARATUS FOR PROVIDING IN-BAND MESSAGING  
WITHIN A VIDEO ON DEMAND ENVIRONMENT**

**RESPONSE UNDER 37 C.F.R. 1.116**

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**S I R:**

In response to the final Office Action mailed on May 6, 2004 (paper no. 17),  
please consider this response as follows: